

DRAFT SUPPORTING STATEMENT
FOR
PROPOSED RULE REGARDING OPERATOR LICENSE ELIGIBILITY
AND
USE OF SIMULATION FACILITIES IN OPERATOR LICENSING

(OMB CLEARANCE NOS. 3150-0018 and 3150-0138)

REVISION REQUEST

DESCRIPTION OF THE INFORMATION COLLECTION

The regulations in 10 CFR 55 establish: (1) procedures and criteria for the issuance of licenses to operators and senior operators of utilization facilities (which are licensed pursuant to the Atomic Energy Act of 1954, as amended, and 10 CFR 50); (2) the terms and conditions upon which the Commission will issue or modify those operators' licenses; and (3) the terms and conditions to maintain and renew those operators' licenses.

The majority of the information collection requirements related to 10 CFR 55 apply to the holders of and applicants for utilization facility operating licenses (as defined in 10 CFR 50). Several of the information collections apply to the holders of or applicants for an individual operator's license (i.e., operators and senior operators as defined in 10 CFR 55). The information collections are necessary to permit the timely examination of applicants, operators, and senior operators as well as the timely issuance and renewal of operators' licenses.

OMB Clearance No. 3150-0018 is applicable to all information collection requirements contained in 10 CFR 55. OMB Clearance No. 3150-0138 is applicable to all information collection requirements closely associated with the proposed rule for the use of simulation facilities in operator licensing.

This proposed supporting statement is designed to provide a focused overview of the information collection requirements specified in 10 CFR 55 as described in SECY-00-0083, "Proposed Rule: Revision of 10 CFR Part 55, "Operators' Licenses," Regarding the Use of Simulation Facilities in Operator Licensing." Because the proposed rule would primarily result in a reduction of the number of burden hours associated with NRC Form 474, "Simulation Facility Certification," (OMB Clearance No. 3150-0138), the OMB Supporting Statement is limited to the information collection requirements associated with licensees' simulation facility certifications and routine submittal of simulator performance test reports. The estimated industry and government burden hours and burden cost are summarized in Table 1, "Annual Reporting Requirements" and Table 2, "Annual Record Keeping Requirements and Total Burden Change." If the proposed rule is adopted, OMB Clearance No. 3150-0138 will not be renewed.

Although the burden for Clearance No. 3150-0018 is estimated at 2,160 hours (120 hours per response x 18 respondents), the OMB inventory contains a burden of 2,400 hours (120 hours per response x 20 respondents). The estimated burden reduction is 2,400 hours. As explained in Section 15 of the Justification, the reduction in burden is attributed to the proposed rule removing current requirements for certification of simulation facilities and routine submittal of simulator performance test reports to the NRC for review.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection of Information

- a. In regard to operator license eligibility, holders of facility power operating licenses and applicants for such operating licenses shall continue to submit the following items in accordance with the indicated section of 10 CFR 55:

§55.11: Application for exemption from the requirements of the regulations in 10 CFR 55.

§55.23, 55.31(a)(6), and 55.57(a)(6): NRC Form 396, "Certification of Medical Examination by Facility Licensee" (currently approved under OMB Clearance No. 3150-0024).

§55.25: Notification to the Commission within 30 days of learning of the diagnosis of a licensed operator's permanent physical or mental disability. Submittal of NRC Form 396 is required if a license restriction is requested (currently approved under OMB Clearance No. 3150-0024).

§55.27: Report medical qualifications data to Commission upon request (currently approved under OMB Clearance No. 3150-0024).

§55.31(a)(3) and (4): Written request that a written examination and operating test be administered and certification on NRC Form 398, "Personal Qualification Statement - Licensee," that the applicant has completed the facility licensee's requirements for licensing (currently approved under OMB Clearance No. 3150-0090).

§55.35(a): Certification on NRC Form 398 that the applicant is ready for reexamination and a statement that describes the extent of the applicant's retraining (currently approved under OMB Clearance No. 3150-0090).

§55.40(a) and (d): Information regarding examination content for operators to whom 10 CFR 55 applies (formerly approved under OMB Clearance No. 3150-0101).

§55.40(b)(1) and (3): The written examinations required by §55.41 and §55.43 and the operating tests required by §55.45 (formerly approved under OMB Clearance No. 3150-0101).

§55.40(c): Written request for the NRC to prepare, proctor, and grade the required licensing examinations.

§55.53(f): Certification that the qualifications and training of a licensee who has not been actively performing the functions of an operator are current.

§55.57(a)(4) and (5): Certification on NRC Form 398 that the renewal applicant has competently and safely discharged the license responsibilities and satisfactorily completed the requalification program during the effective term of the current license (currently approved under OMB Clearance No. 3150-0090).

§55.59(c): Requalification program and, upon request, comprehensive requalification written examinations or annual operating tests (formerly approved under OMB Clearance No. 3150-0101).

and keep on file:

§55.27: Retain medical qualifications data (currently approved under OMB Clearance No. 3150-0024).

§55.40(b)(2): Procedures to control examination security and integrity (formerly approved under OMB Clearance No. 3150-0101).

§55.59(c)(5)(i): Maintain records of operator participation in the requalification program until license is renewed.

- b. In regard to use of simulation facilities in operator licensing, all holders of facility operating licenses and applicants for such operating licenses (e.g., nuclear power plants) that intend to conform with the requirements of 10 CFR 55.45(b) through the use of other than a plant-referenced simulator shall submit the following items in accordance with the indicated section of 10 CFR 55:

§55.45(b)(4)(i) and (vi): An application for NRC approval of a simulation facility proposed for use in the partial conduct of operating tests identified in §55.45(a). Reapplications must include a description of corrective actions and performance test results.

and keep on file:

§55.45(b)(4)(iv): The results of the performance tests conducted until four years after completion of the test or until superseded by updated test results.

- c. In regard to use of simulation facilities in operator licensing, all holders of facility operating licenses and applicants for such operating licenses (e.g., nuclear power plants) that intend to conform with the proposed rule requirements of 10 CFR 55.45(b) through the use of a plant-referenced simulator will no longer be required to submit the following items in accordance with the indicated section of 10 CFR 55:

§55.45(b)(5)(i) and (v): NRC Form 474, "Simulation Facility Certification," if the facility licensee intends to use a simulation facility which consists solely of a plant-referenced simulator (currently approved under OMB Clearance No. 3150-0138), and routine submittal of performance test results.

However, licensees are expected to keep on file on site:

§55.45(b)(5)(iii): The results of performance tests conducted until four years after the conduct of such test or until superseded by updated test results.

2. Agency Use of Information

The NRC will use the reports and records described above and required by 10 CFR 55 for one or more of the following purposes:

- the preparation, review, and approval of the written examinations and operating tests used to determine whether the applicants for operators' licenses have learned to operate the facility competently and safely and, additionally, for senior operators, whether the applicants have learned to safely and competently direct the activities of licensed operators;
- the review and approval of operator license applications (initial and renewal);
- the review and evaluation of the licensed operator requalification programs conducted by facility licensees;
- the review of facility licensees' plans for and performance testing of simulation facilities; and
- the review and approval of applications for use of simulation facilities for the partial conduct of operating tests.

To the extent possible, the facility licensees and applicants are required to maintain documentation rather than submit reports to the NRC.

3. Reduction of Burden Through Information Technology

There is no legal obstacle to the use of information technology; moreover, the NRC encourages its use.

4. Effort to Identify Duplication and Use Similar Information

The Information Requirements Control Automated System (IRCAS) was searched for duplication. None was found. Similar information is not available.

5. Effort to Reduce Small Business Burden

The burden on small businesses such as non-power plants (research/test reactors) is not impacted by the proposed rule.

6. Consequences to Federal Program or Policy Activities if the Collection Is Not Conducted or is Conducted Less Frequently

The proposed rule would eliminate certification and submittal of NRC Form 474 and routine performance test results and will have no adverse effects on the Operator Licensing program or policies.

7. Circumstances Which Justify Variation from OMB Guidelines

The record retention periods vary from the three-year period specified in OMB guidelines. It is necessary to retain these records for longer periods of time to ensure operational safety at nuclear reactor facilities.

8. Consultations Outside the NRC

Opportunity for public comment on the proposed rule will be published in the Federal Register in the near future. All public comments and the NRC's responses will be summarized in the following format as follows:

(a) Public Comment: To be determined.

NRC Response: To be determined.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

The NRC provides no pledge of confidentiality for this collection of information.

The NRC will withhold from public disclosure, until after their administration, the operator licensing examinations and tests that power reactor facility licensees submit to the NRC for approval pursuant to 10 CFR 55.40(b).

11. Justification for Sensitive Questions

No sensitive information is requested for this information collection.

12. Estimate of Burden and Burden Hour Cost to the Industry

The burden estimates are based upon information obtained from the Final Supporting Statement for OMB Clearance No. 3150-0018 and the staffs' regulatory analysis of the proposed rule as described in SECY-00-0083. The burden hour costs have been increased from \$141 per hour to \$144 per hour for the current license fee rule.

Although the number of respondents affected by the proposed rule is 70, the staff expects approximately 18 annual responses, due in part to quadrennial reporting associated with the submittal of the NRC Form-474 and associated simulator performance test reports.

If adopted, the proposed rule would result in an annual decrease of the industry burden from 3,210 burden hours (120 hours for reporting x 18 simulation facilities / year + 15 hours for record keeping x 70 simulation facilities / year) at a cost of \$462,240 (\$144 per hour) to 1,050 burden hours (15 hours for record keeping x 70 simulation facilities / year), a burden savings of 2,160 hours at a cost savings of \$311,040. Refer to Table 1, "Annual Reporting Requirements."

13. Estimate of Other Additional Costs

Not applicable.

14. Estimated Annualized Cost to the Federal Government

The burden estimates are based upon information obtained from the Final Supporting Statement for OMB Clearance No. 3150-0018 and the staffs' regulatory analysis of the proposed rule as described in SECY-00-0083. The burden hour cost have been increased from \$141 per hour to \$144 per hour for the current license fee rule. The government cost is fully recovered by fee assessments to NRC licensees pursuant to 10 CFR 171.

Although the number of respondents affected by the proposed rule is 70, the staff expects approximately 18 annual responses, due in part to quadrennial reporting associated with the submittal of the NRC Form-474 and associated simulator performance test reports.

If adopted, the proposed rule would result in an annual decrease of the government burden from 86.4 burden hours (4.8 hours x 18 simulation facilities / year) at a cost of \$12,442 (\$144 per hour x 86.4 hours) to 0 burden hours, a burden savings of 86.4 hours at a cost savings of \$12,442. Refer to Table 2, "Annual Record Keeping Requirements and Total Burden Change."

The licensees will continue to maintain data collected for simulator performance test reports at an estimated burden of 1,050 hours (15 per response x 70 simulation facilities) at an estimated cost of \$151,200 annually (1,050 hours x \$144 / hour).

In summary, the revised, consolidated burden totals for the industry and the government is estimated to change from 3,296 burden hours (120 + 4.8 hours x 18 simulation facilities / year + 15 hours x 70 simulation facilities) at a cost of \$474,624 (\$144 per hour x 3,296 hours) to 1,050 burden hours, a burden savings of 2,246 hours at an annual cost savings of \$323,482.

15. Reasons for Change in Burden or Cost

Since the last OMB clearance, the proposed rule would eliminate current requirements for certification of simulation facilities and routine submittal of

simulator performance test reports to the NRC for review. The rate used to cost an hourly burden has been updated from \$141 per hour to \$144 per hour.

16. Publication for Statistical Use

NRC does not publish information submitted in accordance with 10 CFR 55 for statistical use.

17. Reason for Not Displaying the Expiration Date

The requirement is contained in a regulation. Amending the Code of Federal Regulations to display information that, in an annual publication, which could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in the collection of information.

TABLE 1- ANNUAL REPORTING REQUIREMENTS					
Report	Subsection	Hours / Response	Number of Responses	Burden Hours Change	Cost at \$144 / Hour
Licensee preparation of Simulation Facility Certification submittal on NRC Form 474* or preparation of quadrennial reports	55.45(b)(2)(iii) 55.45(b)(3)(iii) 55.45(b)(4)(iii) 55.45(b)(4)(vii) 55.45(b)(5)(i) 55.45(b)(5)(ii) and 55.45(b)(5)(v)	(120)	18	(2160)	(311,040)
TOTAL FOR PART 55 REPORTING:				(2,160)	(311,040)

TABLE 2- ANNUAL RECORD KEEPING REQUIREMENTS AND TOTAL BURDEN CHANGE					
Report / Record	10 CFR 55 Subsection	Hours / Response	Number of Responses	Burden Hours Change	Cost at \$144 / Hour
Licensee Maintains Data Collected for Report of Performance Testing	55.45(b)(4)(iv) and 55.45(b)(5)(iii)	15	70	0	0**
NRC review of submitted routine (quadrennial) reports	55.45(b)(2)(i)	(4)	18	(72)	(10,368)
NRC staff record keeping of routine (quadrennial) reports	55.45(b)(2)(i)	(0.8)	18	(14.4)	(2,074)
TOTAL FOR PART 55 RECORD KEEPING				86.4	(12,442)
TOTAL BURDEN CHANGE FOR 10 CFR PART 55: (Reporting and Record Keeping)				(2,246)	(323,482)
*OMB No. 3150-0138, will no longer be renewed if the proposed rule is adopted;**no burden change; (XX) denotes reductions.					

U. S. NUCLEAR REGULATORY COMMISSION

Documents Containing Reporting or Recordkeeping Requirements: Office of Management and Budget (OMB) Review

AGENCY: U. S. Nuclear Regulatory Commission (NRC)

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the proposed rule requirements to be submitted:

1. Type of submission, new, revision, or extension: Revision
2. The title of the information collection: Operator License Eligibility and Use of Simulation Facilities in Operator Licensing and Simulation Facility Certification
3. The form number if applicable: NRC Form 474
4. How often the collection is required: One-time basis for initial simulation facility certification and quadrennially thereafter.

5. Who will be required or asked to report: Holders of and applicants for facility power operating licenses and individual operators' licenses.
6. An estimate of the number of responses: 70 simulation facility licensees
7. The estimated number of annual respondents: 18
8. An estimate of the total number of hours needed annually to complete the proposed rule requirement or request: -120 hours per response for a total burden reduction of 2,160 hours.
9. An indication of whether Section 3507(d), Pub. L. 104-13 applies: Not applicable.
10. Abstract: 10 CFR Part 55, "Operators' Licenses," of the NRC's regulations, specifies information and data to be provided by applicants and facility licensees so that the NRC may make determinations concerning the licensing and requalification of operators for nuclear reactors, as necessary to promote public health and safety. The proposed rule would allow applicants for reactor operator and senior reactor operator licenses to fulfill a portion of the experience prerequisites by manipulating a plant-referenced simulator as an alternative to use of the actual plant. In addition, the proposed rule would remove current requirements for certification of simulator facilities and

routine submittal of simulator performance test reports to the NRC for review.

A copy of the proposed supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site

(<http://www.nrc.gov/NRC/PUBLIC/OMB/index.html>). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by (insert date 30 days after publication in the Federal Register). Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Erik Godwin
Office of Information and Regulatory Affairs (3150-0018 and 3150-0138)
NEOB-10202
Office of Management and Budget
Washington, DC 20503

Comments can also be submitted by telephone at (202) 395-3087.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 16th day of June 2000.

For the Nuclear Regulatory Commission.

/RA/

Brenda Jo. Shelton, NRC Clearance Officer
Office of the Chief Information Officer

SIMULATION FACILITY CERTIFICATION

Estimated burden per response to comply with this mandatory information collection request: 120 hours. This information is used to certify a simulation facility. Forward comments regarding burden estimate to the Records Management Branch (T-8F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0138), Office of Management and Budget, Washington, DC 20503. If an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

INSTRUCTIONS: This form is to be filed for initial certification, recertification (if required), and for any change to a simulation facility performance testing plan made after initial submittal of such a plan. Provide the following information and check the appropriate box to indicate reason for submittal.

FACILITY	DOCKET NUMBER 50—
LICENSEE	DATE

- This is to certify that:
1. The above named facility licensee is using a simulation facility consisting solely of a plant-referenced simulator that meets the requirements of 10 CFR 55.45.
 2. Documentation is available for NRC review in accordance with 10 CFR 55.45(b).
 3. This simulation facility meets the guidance contained in ANSI/ANS 3.5-1985 or ANSI/ANS 3.5-1993, as endorsed by NRC Regulatory Guide 1.149.
- If there are any EXCEPTIONS to the certification of this item, CHECK HERE ☐ and describe fully on additional pages as necessary.

NAME (or other identification) AND LOCATION OF SIMULATION FACILITY:

SIMULATION FACILITY PERFORMANCE TEST ABSTRACTS ATTACHED. (For performance tests conducted in the period ending with the date of this certification.)

DESCRIPTION OF PERFORMANCE TESTING COMPLETED. (Attach additional pages as necessary and identify the item description being continued.)

SIMULATION FACILITY PERFORMANCE TESTING SCHEDULE ATTACHED. (For the conduct of approximately 25 percent of performance tests per year for the four-year period commencing with the date of this certification.)

DESCRIPTION OF PERFORMANCE TESTING TO BE CONDUCTED. (Attach additional pages as necessary and identify the item description being continued.)

PERFORMANCE TESTING PLAN CHANGE. (For any modification to a performance testing plan submitted on a previous certification.)

DESCRIPTION OF PERFORMANCE TESTING PLAN CHANGE. (Attach additional pages as necessary and identify the item description being continued.)

RECERTIFICATION (Describe corrective actions taken, attach results of completed performance testing in accordance with 10 CFR 55.45(b)(5)(v). (Attach additional pages as necessary and identify the item description being continued.)

Any false statement or omission in this document, including attachments, may be subject to civil and criminal sanctions. I certify under penalty of perjury that the information in this document and attachments is true and correct.

SIGNATURE — AUTHORIZED REPRESENTATIVE	TITLE	DATE
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In accordance with 10 CFR 55.5, Communications, this form shall be submitted to the NRC as follows:

BY MAIL ADDRESSED TO:	DIRECTOR, OFFICE OF NUCLEAR REACTOR REGULATION U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555-0001	BY DELIVERY IN PERSON TO THE NRC OFFICE AT:	ONE WHITE FLINT NORTH 11555 ROCKVILLE PIKE ROCKVILLE, MD
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